



MEMORANDUM OF SUPPORT

Enhancing New York's Long Term Home Health Care Program (S.8092)

The Long Term Home Health Care Program (LTHHCP), also known as the "Nursing Home Without Walls," has for thirty years delivered comprehensive, cost-effective nursing-home level of care to patients in their own homes, serving as a national and state model for meeting the needs of chronically ill, disabled and medically frail patients within the community.

LTHHCP costs are capped at 75 percent of the rate of nursing home care, though the program has historically on average achieved a rate of 50 percent the cost of nursing home care, meeting the state's focus on promoting community-based options that offer a truly cost-effective alternative to institutional care. The LTHHCP presently serves about 25,000 patients statewide – pediatric, adult and aged individuals – and is provided by 108 health care providers.

The Home Care Association of New York State (HCA), Healthcare Association of New York State (HANYS), New York Association of Homes & Services for the Aging (NYAHS) and New York State Association of Health Care Providers (HCP) have joined together in support of legislation (S.8092) recently introduced by state Senate Health Committee Chairman Kemp Hannon to enhance LTHHCP patient access and program operation.

The timing of this legislation is absolutely critical. A federal waiver allowing New York's LTHHCP to deliver an expanded set of services must be renewed by December 31, 2008, meaning that the state will likely need to submit its renewal application to the Centers for Medicare and Medicaid Services (CMS) by no later than September. If S.8092 is enacted prior to the close of the Legislative session at the end of June, the proposed enhancements could be included in the waiver renewal process, strengthening the state's waiver application with program components that bolster patient access, increase program efficiencies and allow for a stronger coordination of services.

Among other provisions, the legislation would update and consolidate the patient assessment process; expand eligibility – through cost-cap flexibility – for high-need patients whose enrollment is deemed a cost-effective alternative to institutional care, and will be facilitated because of the program's ability to generally provide care to patients at costs well below the nursing home rate; update the notice/referral process to better inform consumers about the option of LTHHCP services and prevent premature admission to institutional care; allow for flexible patient capacity limits during the period when a provider's expansion application is pending state approval; expand LTHHCP services to allow even further specialization in meeting patients' needs; ensure coordination and collaboration within the long term care system when a patient needs the services of more than one specialty provider covered under different waivers; and permit patients in various forms of Medicaid managed care plans to also participate in the LTHHCP.

These statutory and regulatory enhancements also come at a critical time in the evolution of the state's health care system – when nursing home and hospital capacity is decreasing, Medicaid long term care expenditures are increasing, and more and more patients are desirous of care in their own homes instead of institutional care. This legislation is necessary to support the LTHHCP in operating in the current health care system and in meeting the present and emerging needs of New Yorkers who need in long term care services.